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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,274	06/06/2001	Tandy G. Willeby	017402.000006	5164

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EXAMINER

KLIMACH, PAULA W

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,274

Applicant(s)

WILLEBY, TANDY G.

Examiner

Paula W. Klimach

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 12/15/04. Original application contained Claims 1-24. Applicant added Claims 25-38, cancelled Claims 1-24. The amendment filed on 12/15/05 have been entered and made of record. Therefore, presently pending claims are 25-38.

Response to Arguments

Applicant's arguments filed 12/15/04 have been fully considered but they are not persuasive because of following reasons.

Applicant argued Jalili does not disclose the display of a sequence of graphical images, nor does Jalili disclose recording an address corresponding to part of the information for each graphical image. This is not found persuasive. The examiner asserts that Jalili does not disclose the display of a sequence of graphical images, however, Jalili does disclose recording an address corresponding to part of the information for each graphical image (column 7 lines 15-67).

Wherein the system of Jalili displaces the image generated by the server, therefore there are several images and one is currently displayed. The system specifies icons on the image with specific top and bottom points, therefore recording an address corresponding to the part of the image that is currently displayed.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalili (6,209,104) in view of Mizoguchi (20040030934).

In reference to claim 25 Jalili discloses a system and method for receiving a secure pass code from a user (abstract) comprising the steps of: displaying an image wherein each graphical image may be defined as an array of addresses (Fig. 6) such that each pixel of the graphical image may be identified by a corresponding address (column 7 lines 15-67); recording an address corresponding to part of the information for each graphical image (column 8 lines 55-62); transferring the addresses to a processor (column 8 lines 55-60); processing each address to generate the corresponding part of the information (column 8 lines 60-67); and processing the part of the information to generate the information (column 9 lines 1-10).

However Jalili does not disclose the display of a sequence of graphical images.

Mizoguchi discloses a system that displays a sequence of graphical images (page 3 paragraph 0034-0035).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the sequence of graphical images as disclosed by Mizoguchi in the system

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of Jalili. One of ordinary skill in the art would have been motivated to do this because this would allow the display of decoy images.

In reference to claim 26 wherein said information comprises identification formation (column 8 lines 55-65).

In reference to claim 27 wherein said identification information is a PIN (column 8 lines 55-65).

In reference to claim 28 wherein said sequence of graphical images comprise graphical images representing keypads (column 6 line 65 to column 7 line 6).

In reference to claim 29 wherein said graphical images representing keypads include representation of pseudorandom arrangements of keys (column 6 line 28 to column 7 line 6)

In reference to claim 30 wherein said address corresponds to a cursor address (Fig. 6).

In reference to claim 31 wherein said cursor address is selected by pressing a button (column 8 lines 42-55).

In reference to claim 32 wherein said address corresponds to a symbol on a graphical image (column 9 lines 23-25).

In reference to claim 33 wherein said part of said information is a symbol (column 9 lines 23-25).

In reference to claim 34 comprising the step of authenticating a user based on said information (column 8 lines 1-41).

In reference to claim 35 wherein said step of authenticating is performed by a financial institution (column 9 lines 58-67).

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In reference to claim 36 wherein the symbols are alpha-numeric keypad (column 8 lines 23-32).

In reference to claim 37 wherein the keypad is an alpha-numeric keypad (column 8 lines 23-32).

In reference to claim 38 wherein the keypad is a numeric keypad (column 8 lines 23-32).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK

Tuesday, April 26, 2005



KIM VU
SUPERVISORY PATENT EXAMINER
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